



**S/N 09/754,026**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	David J. Baer et al.	Examiner:	Jeremy Pierce
Serial No.:	09/754,026	Group Art Unit:	1771
Filed:	January 3, 2001	Docket:	1443.006US1
Title:	STRETCHABLE COMPOSITE SHEET FOR ADDING SOFTNESS AND TEXTURE		

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**RESPONSE TO NOTICE OF NON-RESPONSIVE REPLY TO OFFICE ACTION,**  
**REQUEST FOR WITHDRAWAL OF RCE,**  
**AND REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Notice of Non-Compliant Amendment mailed April 18, 2005, Applicant respectfully requests that the Request for Continued Examination (RCE) mailed March 15, 2005 and filed in the Office on March 24, 2005 be withdrawn, thereby removing the rejection.

It is also requested that refund of the \$790.00 RCE filing fee be credited to the undersigned attorneys' Deposit Account No. 19-0743.

A continuation application under 37 C.F.R. 1.53(b) of the above-identified application is being filed on even date herewith.

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT AND REQUEST FOR WITHDRAWAL OF RCE

Serial Number: 09/754,026

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Conclusion

The Examiner is invited to telephone Applicant's attorney at (262) 646-7009 with any questions concerning this submission.

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DAVID J. BAER ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(262) 646-7009

Date 5/18/05 By Andrew R Peret  
Andrew R Peret  
Reg. No. 41,246

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18 day of May, 2005.

CANDIS BUENDING

Name

Signature

Candis T Buending



DIVISION

Dep & Ret  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. Baer et al.

Title: STRETCHABLE COMPOSITE SHEET FOR ADDING SOFTNESS AND TEXTURE

Docket No.: 1443.006US1

Serial No.: 09/754,026

Filed: January 3, 2001

Due Date: May 18, 2005

Examiner: Jeremy R. Pierce

Group Art Unit: 1771

MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.  
☒ Response to Notice of Non-Responsive Reply to Office Action, Request for Withdrawal of RCE, and Request for Refund (2 Pages).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: Andrew R. Peret

Atty: Andrew R. Peret

Reg. No. 41,246

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 18th day of May, 2005.

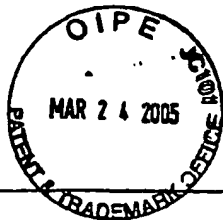
CANDIS BUENDING

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER &amp; KLUTH, P.A.

(GENERAL)



RCE/1771  
DW

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	<b>Application Number</b>	09/754,026
	<b>Filing Date</b>	January 3, 2001
	<b>First Named Inventor</b>	David J. Baer
	<b>Group Art Unit</b>	1771
	<b>Examiner Name</b>	Jeremy R. Pierce
	<b>Attorney Docket Number</b>	1443.006US1
	<b>Customer No.</b>	21186

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application entitled STRETCHABLE COMPOSITE SHEET FOR ADDING SOFTNESS AND TEXTURE.

Submission required under 37 C.F.R. § 1.114

1. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .
2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
3. ☒ An Amendment Under 37 CFR § 1.116 ( 8 pages ) is enclosed.
4. ☐ A new power of attorney (    pages ) is enclosed.
5. ☒ An Information Disclosure Statement is enclosed ( 2 pages ).
  - a. ☒ Form(s) 1449
  - b. ☐ Copies of IDS Citations
6. ☐ A check in the amount of 0.00 is attached to pay the RCE filing fee required under C.F.R. § 1.17(e).
7. ☒ The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 CFR §§ 1.16 through 1.18 to Deposit Account No. 19-0743.
8. ☒ A Petition for Extension of Time in the prior application ( 1 pages ) is enclosed, with authorization to charge the fee to Deposit Acct. 19-0743.
9. ☐ Others:  
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

By: Andrew R. Peret  
Atty: Andrew R. Peret  
Reg. No. 41,246

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Attn-Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15 day of March, 2005.

CANDIS BUENDING

Name

Signature

03/25/2005 AWONDAF1 00000145 190743 09754026  
01 FC:1801 790.00 DA

Adjustment Date: 06/23/2005 SDIRETA1 09754026  
03/25/2005 AWONDAF1 00000145 190743  
01 FC:1801 790.00 CR